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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/023,839	12/21/2001	Richard Derose	022650-685

OIP E SCLP
 APR 04 2002
 U.S. PATENT & TRADEMARK OFFICE
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CONFIRMATION NO. 4793
 FORMALITIES LETTER

 OC000000007414086

Date Mailed: 02/04/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*

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PART 3 - OFFICE COPY



Patent
Attorney's Docket No. 022650-685

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Richard DEROSE et al.) Group Art Unit: 1638
Application No.: 10/023,839) Examiner: O. Zaghmout
Filed: December 21, 2001)
For: ISOLATED DNA SEQUENCE)
CAPABLE OF SERVING AS)
REGULATORY ELEMENT IN A)
CHIMERIC GENE WHICH CAN BE)
USED FOR THE)
TRANSFORMATION OF PLANTS)

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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed February 4, 2002 (copy attached), submitted herewith is a Request to Use Computer Readable Form From Parent Application Pursuant to 37 C.F.R. § 1.821(e) and a Declaration Pursuant to 37 C.F.R. §§ 1.821-825.

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

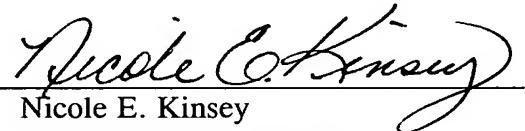
In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned concerning such questions so that prosecution of this application may be expedited.

Response to Notice to Comply
Application Serial No. 10/023,839
Attorney's Docket No. 022650-685
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The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
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Date: April 4, 2002